

ATHENS DEATH LIST IS REDUCED TO 65

Sailor Says He Reported Signals of French Cruiser Minutes Before Crash.

DOUBT FOG WAS CAUSE Captain in Hospital, Company Orders Crew Survivors Not to Talk.

The sinking of the Savannah Line steamship City of Athens in collision with a French cruiser early Wednesday morning resulted, according to corrected figures issued yesterday, in the death of sixty-five persons instead of sixty-nine, as first reported. Discovery of an error in the original count of the crew reduced the death toll by three.

The appearance at his home in Jersey City of W. J. B. Henderson, a sailor originally included among the lost, accounts for the fourth reduction. His escape was reported yesterday at the office of the Savannah Line by his wife in a brief telephone message. Though no definite information has been obtained, officials of the line believe that he was picked up by an incoming steamship after the French cruiser had left the scene of the accident in the belief that all not then saved had perished.

With this single exception the death list as first published is unchanged in so far as names are concerned. Later reports, however, show that all loss of life was not due to drowning but that a number were crushed to death.

The sharp prow of the warship tearing into the starboard side of the liner, well forward, as the foghorn shrilled in vain, accounted, it is believed, for the proportionately heavy loss of life among the twenty French sailors who were quartered below decks at the point where the ram went home, while two of the crew met death beneath a donkey engine turned over by the staggering impact of the blow.

Of the twenty French sailors only six escaped.

The death list includes ten civilian passengers, of whom two were women and one a four-year-old girl; nine United States marines, recently enlisted and on their way to the training station at Port Royal, S. C.; fourteen French sailors on their way south to man French merchantmen, and thirty-four members of the City of Athens' crew.

Question of Responsibility.

That dense fog was the direct cause of the accident, as originally stated, is borne out by later reports of passengers and crew, but there is a conflict of fact regarding responsibility. Capt. A. G. Forward, commander of the liner, now in a hospital suffering from exposure and shock, is reported to have said that the French cruiser loomed out of the fog without warning while his own vessel was making moderate speed, about six knots an hour.

This does not accord with statements by members of the crew that the French cruiser's foghorn had been heard and reported at least five minutes before the collision. If these statements are correct—and they are made by men who seem to have suffered less than physically—it would indicate misinterpretation of fog signals as the actual cause of the accident. A seaman on watch forward said:

"I was on the lookout watch. I was standing on the hurricane deck, wrapped in my oilskins, peering out into the fog, when I heard the blast of a ship's whistle off the port, about three minutes before the collision. This was about fifteen minutes before the collision. A few minutes later I detected another shrill blast. This time it was stated to be coming directly ahead. I ran to the wheelhouse and the officer of the watch sang back 'All right'."

"The fog was dense and nothing could be discerned more than a few feet away. All of a sudden I saw the bright lights of a ship emerging from out of the fog on our starboard bow not more than twenty feet away. I saw a collision was certain. Rushing for the port side, I sought protection behind the deck house. Before I had gone over a dozen steps the smash came."

Crew's Silence Ordered.

The name of this seaman is withheld at his request, though identification by the Savannah Line officials was lent to him as an easy matter. He made the request after officials of that line had ordered members of the crew not to talk to newspaper men. His appearance lent weight to his story. His right eye was discolored, his face lacerated, and he winced from the pain of a wrenched back.

Dr. E. L. Brooks of Atlanta, one of those saved, fixes the time of the collision at 1:27 A. M., or a little before, as his watch stopped at that time, due to submersion. When saved Dr. Brooks was supporting the infant son of Mr. and Mrs. A. P. Gewehr of Brooklyn. The child was saved by his parents, Josephine Gewehr, 4 years old, who had been taken in charge by a sailor, was lost.

William J. Beck of the United States marines, one of those listed among the missing, survived the wreck of the Clyde Line steamship December 28. He was born in Manhattan in 1895, was graduated from Public School No. 77, and enlisted Monday. He lived at 290 Fifth avenue, Long Island City.

W. A. H. Denk, listed as missing, whose address was erroneously given as Brooklyn, was the treasurer for thirty-seven years of the Fulton Bag and Cotton Company. With the advent of the First Street, Williamsburg. The concern has extensive war contracts with the Government. His home was in Atlanta, Ga., but he made periodical business trips here, arriving on the last trip three weeks ago. On parting Monday he told Adolph Elias, vice-president of the bag company, that he was 63 years old, had been forty-seven years with the corporation, and intended to retire in three years.

Lost Little Daughter.

Arthur S. Gewehr, who yesterday returned home to 1670 East Ninth street, Brooklyn, with his wife and infant son, explained how his little daughter, Josephine, happened to be in other hands when lost.

"We were awakened about 1 o'clock by a terrific crash," he said. "We found our life belts and our heads buried with the children in our arms. When it became apparent that we could not reach a boat that already was being lowered, the children were taken and I was thrown into the sea by the tilting of the deck as the ship turned and settled."

Mrs. Florence Pickard Harrison of 4 West 105th street, who was taken to her home suffering from shock and exposure, tells an interesting story of the rescue of herself and her two-year-old daughter, incidentally laying great stress on the heroism and levelheadedness of a negro fireman, James Wallace.

INVOKES OLD WRIT IN MOONEY APPEAL

Lawyer Argues Labor Man Is Entitled to Have "Wrong Righted."

JURISDICTION IS DOUBTED San Francisco Judge Willing to Hear Counsel, but Is Doubtful of Result.

SAN FRANCISCO, May 2.—A motion asking that a new trial be granted Thomas J. Mooney and that the previous trial, which resulted in a death sentence for murder, be set aside on the grounds of wilful fraud, malfeasance and non-feasance in the office of District Attorney Charles M. Fickert, was made in court here today by Maxwell McNutt, chief of Mooney's counsel.

The motion was followed by arguments on the jurisdiction of Judge Franklin A. Griffin in the case, which already has gone to the State Supreme Court, where a new trial was denied.

Mr. McNutt's argument was based on an ancient writ whereby convicted persons could appeal to their sovereign under the old English common law and could protest any official fraud that might have caused their conviction.

Mooney's attorney argued that the court had inherent power to set aside a judgment which had been procured through fraud and contended that he could establish proof of fraud. He pleaded that his motion to exonerate his client was a "procedural innovation" based on the common law.

This basic principle of the common law, he said, was woven into American jurisprudence when the common law was accepted as a basis for the United States statutes.

Avlett Cotton, Assistant District Attorney, argued that the court was without jurisdiction to hear an argument of any sort on the points involved.

Judge Griffin said he doubted the court's jurisdiction, but was willing to listen to the arguments, which will be continued to-morrow.

Mooney was convicted of first degree murder in connection with a preparedness day bomb explosion here in 1916, in which ten persons were killed and forty injured.

JERSEY OFFICERS ARE MOVED.

Three Are Claimed as "Surplus" and Sent to Spartanburg, S. C.

CAMP McCLELLAN, ANNISTON, Ala., May 2.—Three more officers of this division were today classified as "surplus" and ordered to report for assignment to the Provisional Depot Corps at Camp Gretna, Spartanburg, S. C.

They are Capt. J. Walter Scott of Camden, formerly regimental adjutant of the old Third Infantry; E. A. Munoz of Maryland and William V. Smiley of Virginia.

Capt. William M. Mead of Patterson, regimental adjutant of the 114th Infantry, was given command of Company E in that regiment to-day, succeeding Capt. Walter L. Auer of Asbury Park, who was discharged recently from the service.

Capt. John S. Cooke of Patterson has been transferred from the command of Company D, 114th Infantry, to regimental headquarters to succeed Capt. Mead as adjutant.

Major Winfield S. Price of Camden has been transferred to the Provost Marshal General's office at Washington, thus leaving the Second Battalion, composed of former Third Infantry soldiers, without a commander. Several Captains are being considered for promotion to the rank of Major.

ARMY IN FRANCE CAN'T VOTE.

General Staff Rules Ballotting Would Impair Efficiency.

WASHINGTON, May 2.—A decision reached by the General Staff under the view of the interest of the legislators in having every possible vote counted. The decision is likely to affect upward of 1,500,000 voters.

That the War Department had reached such a decision was not known until Senator Vardaman (Mississippi) produced a letter written to him by Adj. Gen. McCain in reply to an inquiry. The letter stated that the War Department would permit soldiers in this country to vote at their respective homes.

"As to the soldiers in France or on any other foreign soil in the theatre of war," the letter said, "the Department has decided that their vote cannot be taken without serious interference with military efficiency."

FIGHT FOR "COLUMBUS 1492."

U. S. Junior Naval Reserves Seek to Keep Phone Number.

"Columbus 1492" is the telephone number of the patriotic United States Junior Naval Reserves, whose headquarters are in 218 West Fifty-eighth street. If the New York Telephone Company officers have any respect for youth, they will abandon right away their announced intention of giving the embryonic sailors another number and assigning Columbus 1492 to an unheeded delicatessen shop.

The lads of the naval reserve learned of the telephone company's intention to change the number at the close of their drill night before last. Their indignation wound up in a petition which fairly sizzled with objections and which was forwarded to the company yesterday. The number was assigned to the reserve headquarters more than a year ago, because the directors of the boys thought any lad could remember it easily. The result was that in less than four years 325 recruits were added to the reserve.

The telephone company officers say there is so much business over the lines that they will not consider that it has become necessary to transfer many subscribers to the Circle exchange.

250 Volunteers Sought.

The Adjutant-General of New York called for 250 volunteers yesterday from graduates of the grammar schools who have had some experience in mechanical lines. They will be sent to New York University for training at Government expense. It was announced that unless a sufficient number of volunteers had been found by May 8 the deficit would be made up from the local draft board.

4,000 Men Quit at Bethlehem.

BETHLEHEM, Pa., May 2.—Continued defections among workmen at the Bethlehem steel works to-night brought the number of strikers to about 4,800 men in three shops, according to State officials who are here in an attempt to mediate the differences between the company and its men.

FUR SALE'S TOTAL REACHES \$7,000,000

More Record Prices Are Feature of Closing Day.

Special Despatch to The Sun. ST. LOUIS, May 2.—The ten day annual spring fur auction of Furmen Bros. & Co. closed here to-night with total sales approximating \$7,000,000 and with a large attendance and record prices featuring it to the end. The auction was probably the largest and most successful ever held in the United States.

The muskrat collection was the feature of the closing day. In the offering were 25,000 Southern skins, 20,000 black skins and 4,500 skins which are applicable to seal dye. These last skins are made up into Hudson seal, which is used for everything from trimming to complete garments.

Beaver brought prices said to be about 10 per cent. over January and about 10 per cent. below what was obtained at the New York fur sale.

Patagonian and Argentine fox brought good prices. The general advance in price on muskrat was placed at about 25 per cent. Some of the brown skins brought close to \$2.

The next sale here will open October 7.

HOBOKEN GERMAN IS MILITANT AMERICAN

Two Teeth Lost Defending U. S. Help Save Him From Jail.

Instead of going to jail for violating the enemy alien regulations, it is likely that the aggressive Americanism of August Kaania, 70, of 102 Ferry street, Hoboken, will achieve for him the distinction of being the only German permitted to work within the barred zones about New York.

The aged man stood in the line of those accused of violating the zone regulations yesterday, but an investigation showed he has a grandson in the United States Army, that \$20 of his \$30 monthly wages are being paid in instalments on Liberty bonds, and that two missing teeth of which he spoke were knocked out by a German who felt the aged man's fist when Kaania resented the German's declaration that America is a nation of moneygrubbers which kept out of the war until it was certain Germany was to be defeated.

Kaania fell into the hands of the Federal agents when it was discovered that although he had been in this country for sixty-nine of his seventy years he never had taken the trouble to have himself declared a citizen. He just went on being an American, he said.

He works as an employee of this city on board a municipal coal barge carried him inside the barred zone. Capt. Roger E. Hull of the enemy alien bureau said he would request that Kaania be permitted to continue his employment and that he was certain, at least, the man would not go to jail.

In the grip that flowed through the bureau yesterday was Hans Donsker, a waiter at the Hotel Plaza, who made the mistake of trying to pin an iron cross on Miss Anna Logan, a waitress and a thoroughly loyal American. She had him arrested and he was committed to the Essex county jail, Newark, pending investigation to determine whether he should be interned. He said he got the cross at the German fair held here in 1915.

Emil Belmers, auditor and clerk at the Hotel Latham, also was locked up, but the Federal authorities refused to say why. He was born in Germany. William Moser, a driver for Armour & Co., was sent to an army camp yesterday for trying to enter Camp Mills, and Joseph Siocher, 53, was recommended for internment because of his attacks on American soldiers.

POLICE RESERVES REVIEWED.

7,500 Make Fine Show at 224 Regiment Armory.

Twelve thousand persons packed the Twenty-second Regiment Armory, at Broadway and 163rd street, last night to see the parade and review of five regiments of the new police reserves. There were 7,500 men in line, including the reserve aviators, a new branch containing 300 men. Mayor Hylan, Commissioner Enright, Deputy Commissioner Wanamaker, all of the inspectors and other officials reviewed the marchers.

Mrs. Hylan and Miss Virginia Hylan were with the review. The girls were wearing regulation rifles, and made a pretty picture in their semi-military uniforms. Prizes were given to the policemen who had obtained the most recruits for the reserves. Policeman Melvin Harvey of Newtown got the first prize of \$100.

Capt. Albert Mason of Union Market received the \$50 prize, and \$20 went to each of the following: Capt. J. Lantry, Policeman Joseph Goldstein, Policeman Patrick Clancy, Policeman Franklin Voss and Acting Capt. John J. Tully.

CASEMENT'S SISTER BUYS LIBERTY BONDS

Reads Wilson's Appeal and Subscribes \$1,000, Her All.

Special Despatch to The Sun. PHILADELPHIA, May 2.—Mrs. Agnes Newman, the only sister of Sir Roger Casement, to-day subscribed practically every dollar she possesses to the Loan.

Mrs. Newman in Atlantic City read President Wilson's appeal to the 1,000,000 Americans who have already bought a bond to join him in the "match the President" movement by subscribing for an additional \$50.

Mindful of the great assistance given her by the President and the American people during her brother's trial, Mrs. Newman decided to come to Philadelphia to express her gratitude in a material way and at the same time give an object lesson to her brother's butler, who has not yet done all they could for the loan.

At the Liberty Loan headquarters Mrs. Newman produced her bank book, which indicated that her total funds amounted to \$1,250, and said:

"I want to give it all to the American Government, that did so much for me in my trouble." She arranged to buy a \$1,000 bond.

Fire in Wall Street Delays Many.

Bankers, brokers, clerks and messengers who work in the financial district were delayed in getting the town's big money mill under way yesterday by a fire in the offices of Westinghouse, Church, Kerr & Co., electrical engineers, on the eleventh floor of the Equitable Trust Company building at 37 to 41 Wall street. While the damage was slight, smoke filled the building and the establishment of fire lines in the vicinity held back many workers.

Today and Tomorrow

The following Hotels and Restaurants in Greater New York have agreed to invest their

Entire Gross Receipts in Liberty Bonds.

The volume of our subscriptions under this offer will be measured only by the volume of your patronage.

HOTELS RESTAURANTS

ALGONQUIN ANSONIA ARLINGTON ASTOR BELLECLAIRE BELMONT BERKELEY BERKLEY BILTMORE BOSSERT Brooklyn BRESLIN BRETTON HALL BREVOORT BRISTOL BROADWAY CENTRAL BROZTELL BRUNSWICK CHATHAM CLARIDGE CLENDENING COLLINGWOOD COLONIAL CUMBERLAND EARLE EASTERN ENDICOTT FLANDERS FOURTEEN EAST 60th STREET GRAND GREAT NORTHERN HARGRAVE HERALD SQUARE HOLLEY IMPERIAL IRVING JUDSON KNICKERBOCKER LANGDON LATHAM LAURELTON LE MARQUIS LEONORI LORRAINE LUCERNE McALPIN MADISON SQUARE

MAJESTIC MANHATTAN MANHATTAN SQUARE MARGARET Brooklyn MARIE ANTOINETTE MARLBOROUGH MARLTON MARSEILLES MARTHA WASHINGTON MARTINIQUE MURRAY HILL NAVARRE NETHERLAND NEW WESTON NOBLETON PARK AVENUE PLAZA PRINCE GEORGE REMINGTON RICHMOND RITZ-CARLTON ROBERT FULTON ROVERSI RUTLEDGE SAN REMO SAVOY SCHUYLER ARMS SEVILLE SEYMOUR SHERMAN SQUARE SOMERSET STANDISH ARMS Brooklyn STRATFORD ST. ANDREWS ST. REGIS THERESA TOURAINE, Brooklyn UNION SQUARE VANDERBILT VAN RENSSELAER WALDORF-ASTORIA WALLICK WALTON WEBSTER WILLARD WOLCOTT WOODSTOCK WOODWARD YORK

ALAMO ANNEX CAFE ANSELMO T. ARCHAMBAULT'S ARRAS INN ARROWHEAD INN BEN WALKER, Brooklyn BERGMANN, CARL BILLY the OYSTERMAN BISMARCK BLOSSOM HEATH INN BRONX PARK CASINO BRUNS, WILLIAM BUDWEISER GARDENS CABLE CAFE CAFE BEAUX ARTS CAFE BOULEVARD CAFE LAFAYETTE CAFE LALOY CAFE NEW YORK CAFE THOMAS CAMPUS CARLTON TERRACE CAVANAGH'S CHURCHILL'S CLAREMONT COLUMBIA YACHT CLUB CRITERION DALY'S EHRHARDT BROS. ENRICO & PAGLIERI FIFTH AVE. REST. FLORENCE INN GOSSLER BROS. GRAND CENTRAL TERMINAL REST. GALOTTI & VANNINI GREENBERG, HARRY HALLORAN'S, INC. HEALY, THOMAS HEALY'S 42d ST. REST. HENRY'S HOFBRAU HAUS HOLBERT, FRANK JACK'S KEEN'S CHOP HOUSE LIEBOLD, H. WM. LION D'OR LITTLE HUNGARY LORBER'S LUBOLD, WM. H. LUCHOW, AUGUST LUSSIER'S MADISON CAFE MADISON SQUARE RESTAURANT MANDL, JOSEPH MAXIM'S MILLER'S MOCK'S MOLLAT, H. MCGINNESS, MIC'L J. MENDEL, WM. H. MORRETTI'S MURRAY'S NICHOLAS OETJEN BROS., Brooklyn ORMONDE, THE, Brooklyn ONE HUNDRED FORTY-FIVE W. 42D ST. PABST'S HARLEM PALAIS ROYAL PARISIAN PAUL PAGLIERI PAUL & JOE PECK, J. PECK & ZUCCA PEKIN PELHAM HEATH INN RAZETTI & CELLA RECTOR'S REISENWEBER'S RITZ, Brooklyn ROBERTS CAFE SAVARIN SCHMITT HOTEL CO. SCHNEIDER & SCHWEITZER SHANLEY'S, 43d & Broadway SHERRY'S STANDARD LUNCH STRAND ROOF SWISS RESTAURANT Carnegie Hall TAUBMAN & ZEIGER'S TEMPLE BAR CAFE TECKENBURG, CHAS. A. TERRACE GARDEN TONJES, JOHN H. TROGER BROS. TROMMER'S, Brooklyn VILLA RICHARD VOISIN WALKER CAFE WHITE SWAN TEA ROOM WOODMANSTEN INN